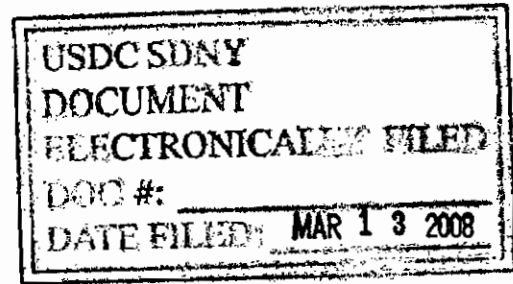


Swain, J

Charles Capetanakis (CC 1120)  
DAVIDOFF MALITO & HUTCHER LLP  
605 Third Avenue, 34th Floor  
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Phone: (212) 557-7200  
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*Local Counsel for the Plaintiffs*



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Fax: (812) 235-3685

*Lead Counsel for the Plaintiffs*

\* Application for leave to appear pro  
hac vice for this case made by  
Motion on February 11, 2008  
pursuant to Local Civil Rule 1.3(c).

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

X

**TOM OGNIBENE, et al.,**

*Plaintiffs,*

**C.A. No. 08 CV 01335 (LTS) (TDK)**

**-against-**

**SCHWARZ, et al.,**

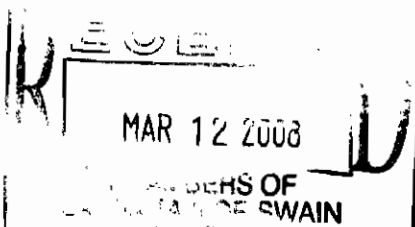
*Defendants.*

X

**NOTICE OF VOLUNTARY DISMISSAL  
BY PLAINTIFF LEROY COMRIE**

PLEASE TAKE NOTICE THAT, Pursuant to Fed.R.Civ.P. Rule 41(a)(1)(i), plaintiff

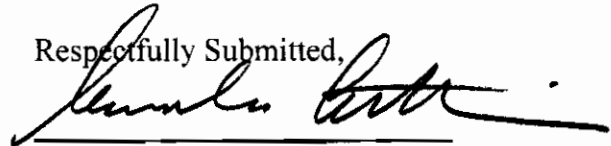
00371814



Leroy Comrie hereby voluntarily dismisses his action against all defendants without prejudice.

Dated: New York, New York  
March 10, 2008

Respectfully Submitted,



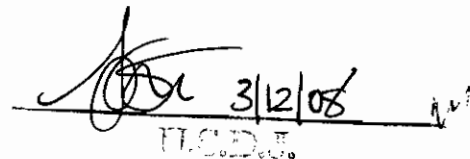
Charles Capetanakis (CC 1120)  
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Motion on February 11, 2008  
pursuant to Local Civil Rule 1.3(c).

TO: Jonathan Pines, Esq.  
Assistant Corporation Counsel  
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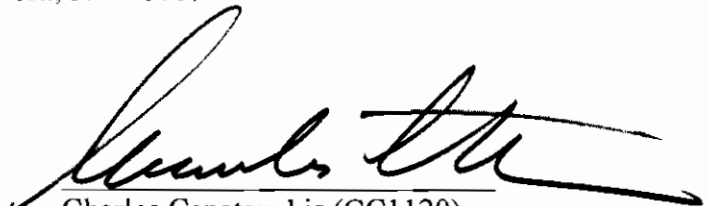


FILED

**CERTIFICATE OF SERVICE**

I hereby certify that on March 10, 2008, I served a true and accurate copy of Notice of Voluntary Dismissal By Plaintiff Leroy Comrie on counsel for the Defendants by first class mail to the person listed below and by using the Court's CM/ECF system so that a copy was sent to the following person automatically via email:

jpines@law.nyc.gov  
Jonathan Pines, Esq.  
Assistant Corporation Counsel  
for the City of New York  
Attorneys for Defendants  
100 Church Street, Room 2-178  
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Charles Capetanakis (CC1120)